

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**REGIONAL LOCAL UNION NOS. 846  
and 847**, International Association of Bridge,  
Structural, Ornamental and Reinforcing Iron  
Workers, AFL-CIO; *et al.*;

Plaintiffs,

v.

**TRITON STEEL, LLC,**

Defendant.

Case No. 3:24-cv-2072-JR

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATION**

**Michael H. Simon, District Judge.**

United States Magistrate Judge Jolie A. Russo issued Findings and Recommendation in this case on March 31, 2025. Judge Russo recommended that this Court grant Plaintiffs’ motion for partial default judgment and for an order compelling disclosure of information necessary so Plaintiffs may conduct an audit of payroll contributions after January 2023. Defendant has not appeared in this action. No party has filed objections.

Under the Federal Magistrates Act (“Act”), the court may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate.” 28 U.S.C.

§ 636(b)(1). If a party objects to a magistrate judge’s findings and recommendations, “the court

shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.*; Fed. R. Civ. P. 72(b)(3).

If no party objects, the Act does not prescribe any standard of review. *See Thomas v. Arn*, 474 U.S. 140, 152 (1985) (“There is no indication that Congress, in enacting [the Act], intended to require a district judge to review a magistrate’s report to which no objections are filed.”); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc) (holding that the court must review de novo magistrate judge’s findings and recommendations if objection is made, “but not otherwise”).

Although review is not required in the absence of objections, the Act “does not preclude further review by the district judge[] *sua sponte* . . . under a *de novo* or any other standard.” *Thomas*, 474 U.S. at 154. Indeed, the Advisory Committee Notes to Rule 72(b) of the Federal Rules of Civil Procedure recommend that “[w]hen no timely objection is filed,” the court review the magistrate judge’s findings and recommendations for “clear error on the face of the record.”

No party having made objections, the Court follows the recommendation of the Advisory Committee and reviews Judge Russo’s Findings and Recommendation for clear error on the face of the record. No such error is apparent.

The Court ADOPTS Judge Russo’s Findings and Recommendation, ECF 13. The Court GRANTS Plaintiffs’ Motion for Partial Default Judgment and to Compel a Subsequent Accounting, ECF 11. The Court shall enter the partial default judgment concurrently herewith. The Court also orders Defendant to produce to Plaintiffs within 30 days Defendant’s books, ledgers, payroll records, cash disbursement ledgers, bank statements, and other documents reflecting or pertaining to all hours worked by and wages paid to Defendant’s employees since

January 1, 2023, so that Plaintiffs can complete an accounting of additional delinquent contributions.

**IT IS SO ORDERED.**

DATED this 28th day of April, 2025.

/s/ Michael H. Simon  
Michael H. Simon  
United States District Judge